

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>CHARLES EDWARD BROWN,</b>	:	
<b>Plaintiff,</b>	:	
<b>vs.</b>	:	<b>CIVIL ACTION 10-0599-CG-M</b>
<b>ATMORE CITY POLICE</b>	:	
<b>DEPARTMENT, <u>et al.</u>,</b>	:	
<b>Defendants.</b>	:	

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this court. It is **ORDERED** that prior to service of process, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) and (ii), the claim for release be dismissed with prejudice as frivolous, the claim against Defendant Jordan be dismissed with prejudice as frivolous, the claim against Defendant Hartley be dismissed with prejudice for failure to state a claim upon which relief can be granted, and the claim against Defendant Paige be dismissed without prejudice for failure to state a claim upon which relief can be granted, and that this action be dismissed in its entirety.

**DONE** and **ORDERED** this the 23rd day of September, 2011.

/s/ Callie V. S. Granade  
UNITED STATES DISTRICT JUDGE